

ARIZONA VETERANS SERVICE COMMISSION  
INTERNAL MANAGEMENT POLICY 88-02

SUBJECT: PERFORMANCE EVALUATION GRIEVANCE PROCEDURE

EFFECTIVE DATE: January 15, 1999 (Supersedes IMP 88-02, 10/1/88)

- 1.0 **POLICY:** It is the policy of the Arizona Veterans Service Commission to provide a means for employees to seek prompt solutions to concerns about their performance evaluations through a formal written procedure, after informal attempts have proven unsatisfactory. These procedures may be used by any AVSC State service employee, whether permanent or original probationary status.
- 2.0 **AUTHORITY:** A.R.S. § 41-783, DOA Personnel Director, § 41-775, Penalties and Violations; § 41-604, Duties and Powers of the Director; and Arizona Administrative Code R2-5-701 (Grievance System), and R2-5-702 (Grievance Procedures).
- 3.0 **RESPONSIBILITY:** Supervisors are responsible for ensuring that employees understand and comply with this policy. Immediate supervisors are responsible for ensuring that performance evaluations are conducted in compliance with A.A.C. R2-5-503. Immediate supervisors and their managers ensure that a performance evaluation grievance is handled in a strictly confidential manner.
- 4.0 **DEFINITIONS:**
  - 4.1 "Amendment" means any documentation which modifies the original performance evaluation grievance. Once a grievance is written, it may not be amended.
  - 4.2 "Oral discussion" means the requirement for the grievant to discuss issues with the immediate supervisor prior to initiating a formal grievance. Employees must inform their supervisors of their intent to file a formal grievance, the issue(s) involved, and the requested resolution. The purpose of the meeting is for both parties to explore the issue(s) and the requested resolution. If the employee fails to take this step, the grievance will not be accepted through the formal grievance procedure. The date of the discussion does not change the requirement to file the written grievance within three working days of the receipt of the evaluation.
  - 4.3 "Original probation" means the specified period for evaluation of the employee's work following initial appointment to the state service in a permanent or limited position.
  - 4.4 "Performance Evaluation" means the procedure used to evaluate the performance of employees.
  - 4.5 "Performance Evaluation Grievance Procedure" means the process by which an employee who disagrees with a performance evaluation may request a reappraisal. The preparation, submittal, review and response to a grievance are each handled in a strictly confidential manner. No references to the complaint will be included in the employee's official personnel file.

- 4.6 "Promotional probation" means the specified period of employment for evaluation of the employee's work following promotion.
- 4.7 "Representation" means the employee's right to select one representative to provide advice and/or speak for the grievant at any meetings determined necessary by management in the course of the grievance process. The representative may not be present during the mandatory oral discussion. An AVSC employee who serves as a representative is required to request and obtain prior approval for annual or compensatory leave for any time devoted as a representative during regular working hours.
- 4.8 "Step I" means the first step in the performance evaluation grievance procedure taken by a grievant following the mandatory oral discussion. The employee must have an oral discussion and file the grievance within three working days of receipt of the performance evaluation.
- 4.9 "Step II" means the final step in the performance evaluation grievance procedure, which must be filed within two working days of receipt of the Division Administrator's response.

5.0 PROCEDURES: Employees may not grieve any compensation issues which are the result of performance evaluations.

- 5.1 No formal grievance can be initiated until the grievant has attempted to resolve the problem by holding an oral discussion with the immediate supervisor.
  - 5.1.1 The oral discussion may occur at the time of the performance evaluation, if it is clearly understood by both the employee and the supervisor.
  - 5.1.2 The oral discussion must occur within three working days of the performance evaluation. When possible, the discussion should occur in person. Otherwise, the supervisor and employee may hold the discussion on the telephone.
- 5.2 AVSC allows the grievant up to two hours of work time to prepare and process a grievance or to confer with the chosen representative. The use of such time must be approved in advance by management.
- 5.3 The employee must file the Performance Evaluation Grievance form (AVSC 01-23) with the Division Administrator within three working days after the performance evaluation has been presented to the employee.
  - 5.2.1 The employee is responsible for providing necessary documentation and explanation to support the request for reappraisal.
  - 5.2.2 If the grievant selects a representative, the representative's name is recorded on the Performance Evaluation Grievance Form (AVSC 01-23).
  - 5.2.3 The grievant must sign and date the Performance Evaluation Grievance form (AVSC 01-23).
- 5.4 The Division Administrator must respond to the Performance Evaluation Grievance (AVSC 01-23) within five working days. An extension may be granted if it is agreed to by both the employee and the supervisor.

- 5.5 The grievant may forward the grievance to Step II within two working days if (1) unsatisfied with the response or (2) the Step I response is not received by the deadline.
- 5.5.1 The grievant must sign the form and must attach a statement to explain why the Step I response was unsatisfactory.
- 5.6 The AVSC Director has ten working days to respond to the Performance Evaluation Grievance. An extension may be granted if it is agreed to by both the employee and the supervisor.
- 5.6.1 If additional documentation is submitted by the grievant after the initiation of the grievance, the AVSC Director may remand the grievance to the previous level appropriate for reconsideration.
- 5.6.2 The Director is the final authority to decide the grievance. Step II concludes the performance appraisal grievance process.
- 6.0 IMPLEMENTATION: This policy shall be implemented without change on the effective date.

  
Jerry Moreland, Acting Director

Attachments: Performance Evaluation Grievance Procedure (AVSC 01-23)

**Arizona Veterans Service Commission  
PERFORMANCE EVALUATION GRIEVANCE PROCEDURE**

\*\*\*\*\* Confidential \*\*\*\*\*

Name		Position Title	Work Telephone
Position #	Supervisor's Name	Supervisor's Location	Spvr's Telephone

List each performance standard rating you disagree with and explain why you disagree. Please be specific; include documentation.

1. Performance standard rating you disagree with	2. Rating received	3. Rating Requested	4. Explanation for difference (Please be specific)

<b>Action Schedule</b>			
Date of Mandatory Oral Discussion		Supervisor Conferred with:	
Grievance Step	Employee's Schedule	Response Deadline	Employee's Signature & Date Submitted (Sign for both Step I and Step II)
I. Division Administrator	Within 3 work days	Within 5 work days	
II. Director	Within 2 work days	Within 10 work days	
Representative's Name (if any)		Title	Organization